

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

|                                |   |                             |
|--------------------------------|---|-----------------------------|
| DAVID A. STEBBINS,             | ) |                             |
|                                | ) |                             |
| Plaintiff,                     | ) |                             |
|                                | ) |                             |
| vs.                            | ) | Civil Action No. 1:14cv1267 |
|                                | ) |                             |
| RONALD CARTER, <i>et al.</i> , | ) |                             |
|                                | ) |                             |
| Defendants.                    | ) |                             |
| _____                          | ) |                             |

**MOTION TO DISMISS**

Pursuant to Federal Rules of Civil Procedure 12(b)(1) and (b)(6), defendants, Ronald Carter and Joshua Devine, in their individual capacities, and the United States of America, hereby respectfully move this Court to dismiss plaintiff's amended complaint in the above-captioned action for a lack of subject-matter jurisdiction and for failure to state a claim upon which relief can be granted. The grounds for this motion are fully explicated in the simultaneously-filed memorandum of law in support of the motion.

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Respectfully submitted,

DANA J. BOENTE  
UNITED STATES ATTORNEY

By:                     /s/                      
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DATE: June 24, 2015

ATTORNEYS FOR DEFENDANTS

OF COUNSEL: Ed Bordley  
United States Marshals Service

**CERTIFICATE OF SERVICE**

I hereby certify that on this date, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and will transmit a true and correct copy of the foregoing to the following non-user via first-class mail:

David Stebbins  
123 W. Ridge Street, Apt. D  
Harrison, Arkansas 72601

Date: June 24, 2015

/s/  
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